

PDSI



"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,077 P2

Issued: August 10, 2004

GENUS SPECIES RHODODENDRON HYBRID  
VARIETAL DENOMINATION 'ROBLEE'

- - - - -

POWER OF ATTORNEY

TO THE HON. COMMISSIONER OF PATENTS AND TRADEMARKS

Dear Sir:

You are requested to recognize THEODORE A. BREINER (Registration No. 32,103); MARY J. BREINER (Registration No. 33,161), and JENNIFER A. HARCHICK (Registration No. 52,139), as Principal Attorneys with full power of substitution and revocation to transact all business in the Patent and Trademark Office connected with the captioned patent and any application based thereon or patent granted upon such application. All other powers are revoked. Please address all future correspondence to

Breiner & Breiner, L.L.C.  
P.O. Box 320160  
Alexandria, Virginia 22320-0160

in conformance with PTO Form 123 as attached.

The undersigned are authorized representatives of the assignees of the entire interest of the invention disclosed and claimed in the captioned patent as shown in the concurrently filed Statement Under 37 CFR 2.73(b).

Date: 2/4/2008

By Gregory L. Smith, Jr.  
PLANT DEVELOPMENT SERVICES, INC.  
Name: Gregory L. Smith, Jr.  
Title: President

Date: \_\_\_\_\_

By \_\_\_\_\_  
ROBERT EDWARD LEE

Attachment - PTO Form 123

## STATEMENT UNDER 37 CFR 3.73(b)

Patent Owner: Robert Edward Lee and Plant Development Services, Inc.Patent No.: PP15,077 P2Issue Date: August 10, 2004Entitled: Genus Species Rhododendron Hybrid Varietal Denomination 'Roblee'Robert Edward Lee and Plant Development Services, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

state that they are:

1. ☐ the assignee of the entire right, title, and interest; or2. ☒ the assignees of the entire right, title and interest.The extent (by percentage) of each ownership interest is 50 %

in the patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent identified above, to the current assignees as follows:1. From: Robert Edward Lee (50%) To: Plant Development Services, Inc.The document was recorded in the United States Patent and Trademark Office at Reel 014589, Frame 0094, or for which a copy thereof is attached.2. From: Flint Jerome Johnson (100%) To: Plant Development Services, Inc. and Robert Edward Lee

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.**[NOTE:** A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignees.

Gregory L. Smith, Jr.  
Signature

Gregory L. Smith, Jr.

Printed or Typed Name

President

Date

2/4/2008\_\_\_\_\_  
Signature

Robert Edward Lee

Printed or Typed Name

Date

The collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

A S S I G N M E N T

WHEREAS, I, FLINT JEROME JOHNSON, a citizen of the United States, residing at 3790 Lakefront Drive, Mobile, Alabama 36695, am the inventor of the plant disclosed and claimed in U.S. Plant Patent No. PP15,077 P2, issued August 10, 2004, and entitled "GENUS SPECIES RHODODENDRON HYBRID VARIETAL DENOMINATION 'ROBLEE'"; and

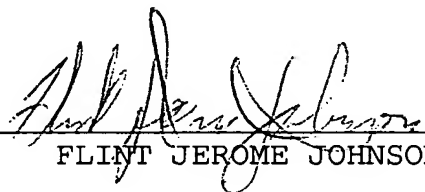
WHEREAS, PLANT DEVELOPMENT SERVICES, INC., a corporation organized under the laws of Alabama and having a place of business at 17325 County Road 68, Loxley, Alabama 36551, and ROBERT EDWARD LEE, a citizen of the United States, residing at 52063 Ridge Crest Drive, Independence, Louisiana 70443, desire to acquire the entire right, title and interest in and to said U.S. Plant Patent No. PP15,077 P2 as 50% owners thereof.

NOW, THEREFORE, for One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, FLINT JEROME JOHNSON, do hereby sell, assign, transfer, and set over unto PLANT DEVELOPMENT SERVICES, INC. and ROBERT EDWARD LEE, their legal representatives, successors, and assigns, 50% to each of them of the entire right, title and interest in and to U.S. Plant Patent No. PP15,077 P2 as the same would have been held by me had this assignment not been made, including any and all rights of action based thereon, including the right to sue and recover for past, present or future infringement.

UPON SAID CONSIDERATION, I do hereby agree with the said assignees that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of the said assignees, execute such additional assignments and other writings and do such additional acts as said assignees may deem necessary or desirable to perfect the assignees'

enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, continuation-in-part, reissue or reexamination Letters Patent of the United States on said inventions, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of assignor and assignees.

Date: 2-4-08

  
FLINT JEROME JOHNSON

PDSI

"PATENT"



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

ROBERT EDWARD LEE

U.S. Plant Patent No. PP15,077 P2

Issued: August 10, 2004

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Date: \_\_\_\_\_

By \_\_\_\_\_

PLANT DEVELOPMENT SERVICES, INC.  
Name: Gregory L. Smith, Jr.  
Title: President

Date: 2/1/2008

By \_\_\_\_\_

Robert Edward Lee  
ROBERT EDWARD LEE

## STATEMENT UNDER 37 CFR 3.73(b)

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Gregory L. Smith, Jr.

Printed or Typed Name

President

Title

Date \_\_\_\_\_

Signature

Robert Edward Lee

Printed or Typed Name

Date

2/1/2008

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Date: 2-4-08

  
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